

IO21812

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Help Us Ban M-44 Cyanide Devices



Deadly M-44 cyanide device

Predator Defense has spearheaded efforts for a national ban on M-44 devices, which eject lethal sodium cyanide on unsuspecting animals and humans. A new bill in Congress could eliminate them for good.

[MORE](#)

Progress to Date

January 2008 - Asserting a cover-up, Predator Defense has compelled the EPA to launch a formal investigation into human poisoning by an M-44, a device the USDA's Wildlife Services uses across the country:

56228-15

- [Read press release](#)
- [Men's Journal article](#) - "America's Secret War on Wildlife: A federal agency keeps the West safe for cows by killing coyotes, wolves, bears--and pet dogs" - by Christopher Ketcham, January 2008
- [The Salt Lake Tribune article](#) - "EPA investigates Utah's poisoning--4 years after device shot cyanide in his face" - by Patty Henetz, January 18, 2008 *- Paleonet page*
- [Associated Press article](#) - "Predator poison under review" - by Matthew Daly, January 21, 2008
- [The Salt Lake Tribune editorial](#) - "Sayonara cyanide: Poison land mines should be banned" - by Tribune editorial staff, January 22, 2008
- [New bill introduced in Congress would eliminate M-44s](#) = Bill to Ban Deadly Compound 1080 & M-44s Stalled

not on the web links on 11/18/09

September 2007 - Predator Defense calls on EPA demanding an investigation of human poisoning by an M-44 and an immediate moratorium on M-44s. Predator Defense suspects USDA Wildlife Services cover-up of human poisoning:

- [Read press release](#) ~ Sept 20, 2007
- [Letter to Environmental Protection Agency](#) ~ Sept 19, 2007 letter

What Are M-44s?



Diagram of M-44 cyanide device

M-44 devices are spring-activated sodium cyanide ejectors that deliver a deadly dose of this poison when an animal pulls up on it. The animal can die within minutes or linger over a long period of time.

To set up an M-44 device, a small pipe is driven into the ground and then loaded with the ejector and a sodium cyanide capsule. The top of the ejector is wrapped with an absorbent material that has been coated with a substance that attracts canines.

When an animal pulls on this material, a spring ejects the sodium cyanide into the animal's mouth and face. The force of the ejector can spray the cyanide granules up to five feet.

Predator Defense has been pressing for a national ban on the lethal M-44 sodium cyanide ejector (also known as "coyote getters") since 1994 when Amanda Wood-Kingsley contacted Predator Defense for help after she and her dog Ruby were poisoned by an M-44.

Predator Defense is working with Congressman Peter DeFazio's staff to develop a bill to completely ban M-44's. Congressman DeFazio is acutely aware of the threat that M-44's pose to pets, people, and wildlife. We consistently relay personal accounts to him of poisonings that occur across the country.

Victims of M-44s support Predator Defense's efforts to ban these devices nationwide. The following letters and a report on a Predator Defense field investigation of another dog poisoning provide dramatic testimony of the horrific consequences of M-44 use.

Federal Statistics

[Animal Deaths from M-44s, 2003-2008](#)

Wildlife Services Warning Signs & Directives

Predator Defense investigations have repeatedly found a lack of [warning signs](#) on M-44s, despite the following federal directive on M-44 Device Use and Signage:

23. Bilingual warning signs in English and Spanish shall be used in all areas containing M-44 devices. All such signs shall be removed when M-44 devices are removed.

a. Main entrances or commonly used access points to areas in which M-44 devices are set shall be posted with warning signs to alert the public to the toxic nature of the cyanide and to the danger to pets. Signs shall be inspected weekly to ensure their continued presence and to ensure that they are conspicuous and legible. An elevated sign shall be placed within 25 feet of each individual M-44 device warning persons not to handle the device.

Excerpted from USDA APHIS ADC (Wildlife Services) Directive, M-44 Cyanide Capsules, M-44 Use Restrictions, EPA Registration No. 56228-15

EPA's Use Restrictions for M-44s

[View page 1](#)
[View page 2](#)
[View page 3](#)

} EPA label

USDA Precautionary Statements for People Handling M-44s

[Read the first document](#)
[Read the second document](#)

EPA-label

Victim Stories & Calls for Action

The letters below were written to Congressman Peter DeFazio (Oregon), requesting a complete ban on the deadly M-44. The cases are strikingly different but each with tragic results.

Texas Rancher Who Survived Blast Supports Bill to Ban M-44s

- [Read his story](#)
- [Support H.R. 4775, the bill to ban M-44s](#) = Bill to Ban Deadly Compound 1080 & M-44s Stalled

Dennis Slaugh's Run-in with an M-44

- [Letter from Dennis](#)
- [Picture of Dennis](#)
- [Picture of M-44](#)

Max's Tragic Death

- [Letter to Congress from Max's owner](#)
- [Picture of Max](#)
- [Article in Sale Lake Tribune](#)
- [Wildlife Services' contemptible denials \(memo\)](#)

The Poisoning of Amanda and Her Dog Ruby

- [Letter to Congress from Amanda](#)
- [Picture of Amanda and Ruby](#)

Buddy's Death...100 Yards from Home

- [Article about Buddy's tragic death](#)
- [Picture of Buddy](#)
- Statement by Congressman Peter DeFazio about this case (currently unavailable)

Utah Hunter Loses His Dog Jenna in 90 Seconds

- [Article about Jenna's tragic death](#)

About M-44s

- [What are they?](#)
- [Statistics](#)
- [Warning signs](#)
- [EPA use restrictions](#)
- [USDA precautionary statement on handling](#)
- [Victim stories and calls for action](#)

Timeline

- [Bill to ban M-44s introduced in Congress - May 2008](#)
- [EPA to investigate human M-44 poisoning in Utah - Jan 2008](#)
- [Predator Defense demands EPA investigate human poisoning by M-44 and immediate moratorium - Sept 2007](#)

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**Nationwide Wildlife Deaths Caused by M-44s
Set by USDA, APHIS, Wildlife Services, 2003-2008**

	2003	2004	2005	2006	2007	2008	TOTAL
Badgers	4	3	0	0	0	0	7
Bald Eagle	1	0	1	0	0	0	2
Black Bears	1	0	4	2	1	1	9
Bobcats	1	5	15	1	3	0	25
Coyotes	13,275	10,630	11,569	12,564	12,871	11,233	72,142
Crows	0	0	4	0	2	1	7
Deer, Whitetail	0	0	0	0	0	1	1
Dogs	108	117	92	112	90	68	587
Foxes, Gray	527	277	301	450	610	626	2,791
Foxes, Kit	27	29	25	24	10	6	121
Foxes, Red	494	387	353	394	368	389	2,385
Foxes, Swift	16	19	8	24	27	27	121
Hogs, feral	7	4	7	9	10	11	48
Javelinas	2	0	2	0	0	0	4
Marmots	0	1	0	0	0	0	1
Opossums	83	96	64	113	54	69	479
Raccoons	331	291	218	198	189	276	1,503
Ravens	4	7	2	2	3	5	23
Ringtails	4	1	2	1	0	0	8
Skunks, Striped	167	113	59	76	34	49	498
Vulture, Turkey	0	0	0	0	0	1	1
Wolves, Gray	1	0	0	1	2	0	4
TOTAL	15,053	11,980	12,726	13,971	14,274	12,763	80,767

Source: Data compiled by Wendy Keefover-Ring, WildEarth Guardians from data published online by USDA, APHIS, Wildlife Services, 2009.



Predator Defense

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PRESS RELEASE

January 17, 2008

Asserting a Cover-up, Predator Defense Compels EPA to Investigate Human Poisonings by USDA's Wildlife Services Program

Predator Defense was recently contacted by a Special Agent of the Environmental Protection Agency (EPA) to inform the organization that the agency is launching a formal investigation into the poisoning of a man by a device Wildlife Services uses across the country.

In September 2007, Predator Defense, a national wildlife advocacy group based in Eugene, OR, confronted the U.S. Government on its use of a deadly poison device called the M-44. The group demanded that the EPA immediately investigate human poisoning cases and place a moratorium on the use of sodium cyanide devices.

In 2003 while recreating on BLM land, near Vernal, Utah, Dennis Slaugh pulled on what he mistook for a survey maker—an M-44. The device shot sodium cyanide powder on his face and chest. Immediately Mr. Slaugh became violently ill and to this day he suffers from the long-term effects of this poison; it is likely that his life will be shortened as a result.

The United States Department of Agriculture, Wildlife Services Program is the only U.S. Agency authorized to use the M-44. Wildlife Services steadfastly denies responsibility for setting this M-44, even though the device that harmed Mr. Slaugh is clearly marked "U.S. GOVT". Brooks Fahy, Executive Director of Predator Defense states "We find this assertion hard to believe given that the evidence suggests Wildlife Services used M-44s in the area during this time".

Registered for use by the Environmental Protection Agency (EPA), the agency has the authority to pull any registration that violates the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). The act requires Wildlife Services to report incidents of human poisoning to the EPA within 15 days.

M-44s are commonly used by Wildlife Services to kill animals they perceive as a threat

to livestock. These devices cannot differentiate between a coyote, a wolf, a dog, or a person. When pulled on, even lightly, the device spews enough sodium cyanide to kill a person. Mr. Fahy equates M-44s with land mines and asserts, "It's only a matter of time before someone is killed". In fact, Wildlife Services has acknowledged over 20 cases where U.S. government trappers were accidentally poisoned by M-44s.

According to Sander Orent, M.D., who is board certified in both Occupational and Environmental Medicine and Internal Medicine and who currently serves as Medical Director of Arbor Occupational Medicine in Boulder, CO., "Cyanide is unquestionably one of the most lethal poisons known to man. Its toxicity is legion. The concept of placing explosive cartridges loaded with this substance on or near public land is at best extremely foolish and dangerous to humans, pets, livestock and all wildlife. At worst it is a gross violation of the public trust and the concept of public health. I would urge the immediate banning of these devices."

- 002
Hemiburg
OR
fall 1994
In 1994 Amanda Wood contacted Predator Defense seeking help when her dog Ruby died from an M-44 that was set on her property without her permission or even her knowledge. Ms. Wood suffered secondary poisoning as she tried to save her pet from an agonizing death. Although Ms. Wood reported her experience to Wildlife Services, agency records reveal no report was made to the EPA. In fact, a Freedom of Information Act request produced no documentation of her report whatsoever.

Same as
update to
IO 19181
- 002

- 003
See
p. 42
in the
package
Mr. Fahy has documented numerous cases where M-44s have been set in close proximity to homes with pets and children. In one such case, in Estacada, OR, children played within several feet of an M-44 that was set within a hundred yards of homes. He asserts "It is inconceivable that the government continues to use these devices when we know of at least two dozen near-fatal accidents."

Two month's after Predator Defense's request EPA had yet to respond. Predator Defense's then enlisted the help of long-time ally, Congressman Peter DeFazio, who urged the EPA to confirm that the agency was acting on Predator Defense's request.

In mid-December the January 2008 issue of *Men's Journal* hit newsstands, highlighting the poisoning of Dennis Slauch in an article titled "America's Secret War on Wildlife." It is available online at

http://www.predatordefense.org/content/article_Mens_Journal_waronwildlife_Jan2008.pdf

Special Note: On December 18, 2007, Congressman Peter DeFazio, (D-OR), introduced HR 4775 The Compound 1080 and M-44 Elimination Act. This bill would ban the U.S. government's use of M-44s.

For More Information

For more information on M-44s and the stories mentioned in this press release, visit www.predatordefense.org and click on Ban M-44s.

Contacts

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- Dr. Sander Orent - 720.480.5339 (cell)

ENVIRONMENTAL AFFAIRS



■ A federal Wildlife Services employee in Oregon with a dead coyote from a rancher's land. Wildlife Services agents killed 87,000 coyotes in 2006.

AMERICA'S SECRET WAR ON WILDLIFE

*A federal agency keeps the West safe for cows by **KILLING COYOTES, WOLVES, BEARS** — and pet dogs. by CHRISTOPHER KETCHAM*

*see
ID 19181-001*

ONE DAY LAST SEPTEMBER Dennis Slaugh took me to the place in the Utah desert where he was nearly killed. The spot was innocuous enough, 10 feet or so off a dirt road on public land overseen by the U.S. Bureau of Land Management, in a wash near the White River, 30 miles south of Vernal. We got out of his truck, and Slaugh, who had been quiet most of the drive, spoke up. "Feeling kind of uneasy being here again," he said.

Four years earlier Slaugh had come down this wash on his ATV, looking for arrowheads and rare stones exposed by the spring snowmelt. In the scrub he saw the tip of what looked to be a survey marker stabbed deep into the soil. Rock hounds are curious by nature, and Slaugh reached out his hand. He only brushed the weapon, but the spring-loaded gun was set to fire at the slightest pressure. It made a great pop and blew orange dust onto Slaugh's chest, face, and arms.

Slaugh didn't know it, but the dust was sodium cyanide. Fired from a tube device known as an M-44, it was meant for the snout of a rooting coyote, which, if all had gone as

intended, would have died a quick, painful death from asphyxiation shortly thereafter. Slaugh felt nauseated and thirsty; on the way back to camp, he vomited several times, feeling disoriented. His son, a firefighter, suspected he'd been poisoned and drove him to the hospital. When doctors at a Vernal emergency room heard his story, he says, "They told me that I should have been dead."

"NO ONE WANTS YOU TO SEE THIS SHIT," SAID A WILDLIFE SERVICES AGENT WHO SHOOTS COYOTES FOR A LIVING. "IT'S A KILLING FLOOR."

Now 65, Slaugh says the cyanide has rendered him weak-limbed, frequently short of breath, and plagued by headaches. He retired earlier than he intended from his job laying asphalt on county roads because of his dizzy spells, and says he still vomits at least once a day. His uncle Lynn, a chemist, tells him that the poison is slowly destroying his body.

Shortly after the incident Slaugh tracked down the federal agency that had set the cyanide trap and demanded an explanation.

Despite the letters US GOV'T engraved on the barrel of the M-44, government officials denied (and continue to deny) that Slaugh had tripped a federally operated trap. Carol Bannerman, a spokeswoman for Wildlife Services (WS), a branch of the U.S. Department of Agriculture (USDA), told me that "[Slaugh] did not make any report to us. He is saying that the device was out there. We are saying it wasn't there." Despite the fact that the reporter secured a copy of a letter sent to the WS office in Utah by Slaugh's attorney, Bannerman maintains that Slaugh "has not provided any information to us and has not cooperated in any way."

As we stood at the site, Slaugh turned to me and asked softly, "What are land mines doing on public land?"

LARGELY UNKNOWN TO THE PUBLIC that finances it, Wildlife Services opened for business in the 1930s as the Branch of Predator and Rodent Control; it became the Office of Animal Damage Control in 1974 and took its current Orwellian title after bad publicity in the mid-1990s. Established

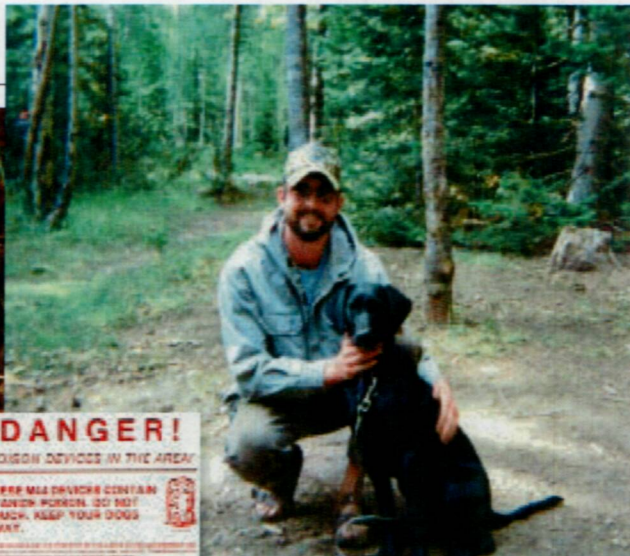
ENVIRONMENTAL AFFAIRS

during the Dust Bowl years to aid the survival not of wildlife but farmers, and livestock owned by ranchers, the agency keeps busy. On average its 1,450 officers shoot, trap, or poison more than 1.7 million animals every year, mostly in western states. In 2006 alone, Wildlife Services dispatched more than 200,000 mammals, including 278 endangered gray wolves, 318 black bears, 2,500 bobcats, and 87,000 coyotes, according to the agency's annual reports.

The agency's hunters and trappers — exterminators, in practice — set out on foot and horseback and in ATVs, jeeps, airplanes, and helicopters; their victims include not just mammals but redwing blackbirds, cormorants, herons, hawks, and even bald eagles, as well as domestic pets whose deaths are often ignored or even, critics claim, covered up by agents in the field. In 2006 WS killed 1,184 cats and 512 dogs.

"The carnage is just staggering," says Wendy Keefover-Ring, the director of carnivore protection for Sinapu, a wildlife conservation group. She points out that WS has wiped out more than 7 million critters since 2003. "Wildlife Services is like the wildlife equivalent of Blackwater, shooting first and deflecting questions later."

WS's excesses and abuses don't end with "pest" control. The organization is veiled in



secrecy and routinely refuses to cooperate with Freedom of Information requests. Access to WS programs is strictly vetted by public affairs managers in Washington, DC, and officers in the field are discouraged from talking to reporters. But critics paint a picture of an agency dedicated to killing wildlife, operating under a Depression-era code of conduct that entitles it to poison and kill "varmints" like Elmer Fudd with a 12-pack in him.

For its trouble, Wildlife Services bills taxpayers more than \$100 million a year. The bills get paid because ranchers claim their livelihoods depend on federal help killing predators and pests. Statistics reveal, however, that the money is ill-spent. Most livestock die of disease. According to the USDA's own au-

dit, just 5 percent of cattle deaths and 30 percent of sheep deaths in 2005 were caused by the types of predators WS exterminates. "Wildlife Services runs an indiscriminate program that's almost

totally ineffective," says Oregon representative Peter DeFazio, a Democrat.

Wildlife Services doesn't just burn through cash; it endangers lives. The agency's aerial gunning operation, which typically involves a pilot and sharpshooter in a single-prop plane chasing "problem" animals identified by ranchers, has a high casualty rate — for the hunters as well as their quarry. WS pilots cruise as low as 15 feet off the ground to get the right shot — so low that when a pilot in Lebec, California, tipped a wing to make a turn, she caught it on the ground and cartwheeled into a fatal crash. Another pilot was killed and a passenger seriously injured in 1996 outside Gillette, Wyoming, after their plane snagged a power line as they tried to "keep up with a fox that they had seen earlier," according to a National Transportation Safety Board (NTSB) report. In 2000 in California, a WS pilot flying in an area bustling with wind turbines hit a power line and plunged 120 feet.

The presence of guns on the aircraft causes all sorts of problems. On at least eight occasions between 1995 and 2001, according to Sinapu, gunners shot up their own planes; in one case a shotgun pellet ricocheted into a pilot's eye. An NTSB report for a 1996 crash in Oregon says that "the gunner's weapon jammed, and the pilot diverted his attention to the direction of the weapon's muzzle, which was pointed toward a fuel tank. Immediately thereafter, the aircraft nosed over."

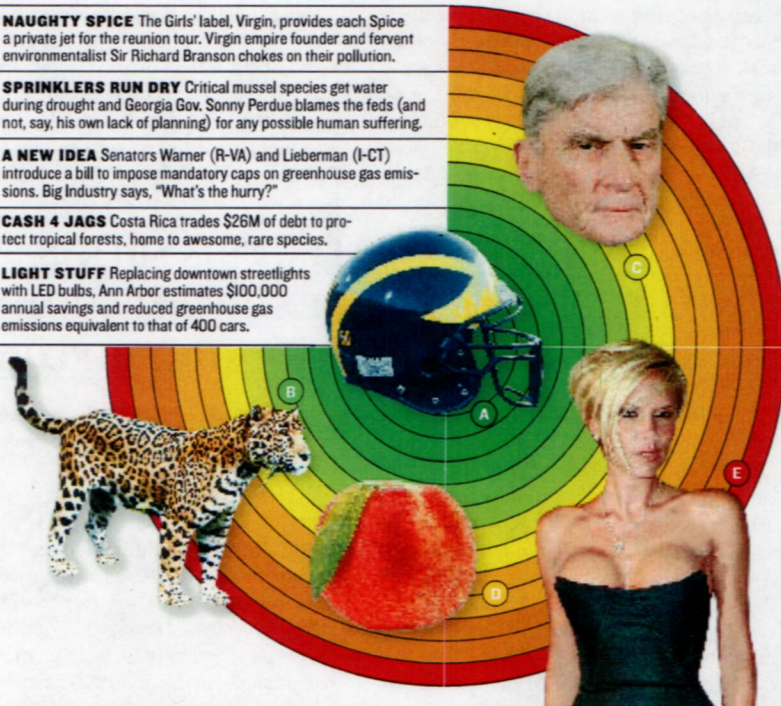
Last year, planes used for WS missions fell from the sky like poisoned cormorants. On June 1 two WS agents died after their plane crashed during a coyote-killing foray in Wayne County, Utah. The deaths spurred a coalition of more than two dozen conservation groups to petition the USDA to end the aerial program. "Public servants," said Jeff Ruch, executive director of Public Employees for Environmental Responsibility, "should not be risking their necks to strafe coyotes."

JANUARY

GREEN SCORECARD

Who's fighting the good fight, who's faking it, and who's setting us back.

- E NAUGHTY SPICE** The Girls' label, Virgin, provides each Spice a private jet for the reunion tour. Virgin empire founder and fervent environmentalist Sir Richard Branson chokes on their pollution.
- D SPRINKLERS RUN DRY** Critical mussel species get water during drought and Georgia Gov. Sonny Perdue blames the feds (and not, say, his own lack of planning) for any possible human suffering.
- C A NEW IDEA** Senators Warner (R-VA) and Lieberman (I-CT) introduce a bill to impose mandatory caps on greenhouse gas emissions. Big Industry says, "What's the hurry?"
- B CASH 4 JAGS** Costa Rica trades \$26M of debt to protect tropical forests, home to awesome, rare species.
- A LIGHT STUFF** Replacing downtown streetlights with LED bulbs, Ann Arbor estimates \$100,000 annual savings and reduced greenhouse gas emissions equivalent to that of 400 cars.





From far left: An M-44 sodium cyanide trap; posters warning of the use of lethal toxins; USFW biologist Sam Pollack and his dog Jerina, who died from the poison; a dead coyote on an Oregon ranch; a WS helicopter after a fatal crash



forced a revote — an incredibly rare event. I've seen it happen perhaps a half-dozen times in 21 years in Congress." The Farm Bureau, he says, "pulled out all the old canards and fears. They said that children were going to be eaten by cougars. Disease was going to be spread by cattle. The sky was going to fall. Of course, it wasn't going to fall, and none of this was true."

DeFazio remains critical of Wildlife Services, noting that coyote kills by WS have had the ironic effect of increasing coyote populations. (Research by Colorado biologist Bob Crabtree, among others, has shown that when the dominant coyotes who tend to kill livestock are slaughtered, it causes the survivors to hunt more. They may also adapt by dispersing and having larger litters.)

In defense of WS's work, spokespeople in the agency and from assorted ranching associations argue that predator control is key to the survival of embattled family ranchers, who suffer from the competitive effects of globalization and have turned to selling off land amid escalating real estate values. But in many cases WS agents are helping the very sorts of hobby ranchers who are inflating land prices. One particular beneficiary, according to a 1999 *San Jose Mercury News* report, is former ABC news anchor Sam Donaldson, whose New Mexico ranch hosted WS agents on 412 visits from 1991 to 1996. (His ranch yielded 78 coyotes, three bobcats, and two foxes.) In 1994 WS trappers killed an endangered female wolf on land belonging to Senator Max Baucus, the Montana Democrat and frequent critic of the Endangered Species Act. In the wake of the public records requests that elicited the documents cited in the *Mercury News* report, the American Farm Bureau sued to prevent Wildlife Services from disclosing the names of those who benefit from its work.

What worries critics of WS most today is the agency's continued failure to secure its deadly arsenal. An audit of WS from 2001 to 2004 revealed that it lost track of poison stocks, among them sodium cyanide. "Random people had access to the stuff," says Sinapu's Keefover-Ring. "They didn't know where the poisons were. There was simply no database for tracking the stuff." ■

The USDA ignored the petition. Two months later, on July 31, there was another crash, in which two state wildlife control officials in South Dakota were injured. On September 12 two more WS agents were hospitalized after their helicopter suffered mechanical problems and crashed into a field outside Fort Stockton, Texas. A few weeks later, I had a conversation with a drunk WS agent in a bar in Moab, Utah. (He didn't know I was a reporter.) We talked about his job shooting coyotes from the air. "No one wants you to see this shit," he told me. "It's a killing floor." I wondered whether he was referring to the animals or his colleagues.

AMONG THE FIRST TO BLOW THE WHISTLE on predator control programs was a former predator control agent named Rex Shaddox. Now in his late 50s, Shaddox doesn't like to talk about his years as a government trapper in Texas, or how he helped expose a ring of criminal agents operating in Wyoming in 1990, but a subsequent investigation found that a state predator control agent had been stockpiling sodium monofluoroacetate, one of the most lethal poisons around, plus at least two other deadly poisons, for sale on the black market. His customer base included a half-dozen of Wyoming's biggest sheep ranchers (including Richard Strom, onetime president of the Wyoming Wool Growers Association) who were allied with a radical white supremacist militia, Posse Comitatus. The ranchers used poison on coyotes and bald eagles and were not happy when the supply was cut off. Shaddox had to leave Wyoming.

"He feared for his life and went underground," says Brooks Fahy, founder of the nonprofit group Predator Defense and a longtime critic of WS. "Rex expected to be poisoned." The ranchers were fined (and some put on probation), but despite 7,000 pages of

evidence transcribed from 344 tape and body-wire recordings that implicated at least one highly placed agent in Wildlife Services, no WS officials were charged.

Fahy, 53, has spent close to two decades talking to WS agents, sussing out the workings of the agency, and says this episode, though some years past, is relevant because it speaks to how WS thinks and acts, and how it remains unaccountable. "The trappers take great satisfaction in killing animals, dispensing poisons and weapons and traps," Fahy told me. "The jobs are passed down from father to son. There's a lot of nepotism in Wildlife Services."

Fahy said that WS agents have told him, off the record, that they have killed "hundreds and hundreds of dogs." They remove the collars and toss the corpses in the bushes, Fahy claims they told him, adding that ranchers follow the rule of the "three S's": shoot, shovel, and shut up. "You hear from many people in the areas where WS operates, 'Yeah, my dog disappeared,'" says Fahy. "Well, this might be why."

In 1998 Fahy led an effort to reduce funding to WS by \$10 million, specifically targeting its lethal predator-control programs. He helped draft the legislation, and DeFazio championed it in the House, where the amendment passed by a vote of 229 to 193. Major ranching interests, led by New Mexico sheep rancher and House Republican Joe Skeen, quickly expressed their displeasure. Within 24 hours the House took the unusual action of revoting the entire amendment, and in a stunning reversal 38 lawmakers switched sides. The tally was now 232 members opposed. The funding would not be cut. Representative Skeen, whose own ranch was serviced 99 times by WS agents between 1991 and 1996, was no doubt pleased.

"The Farm Bureau went absolutely berserk," DeFazio recalls now. "Phone calls and faxes flooded Congress, and that's what

Paleonet: A deadly field work threat

Theropod theropod@ubtanet.com
Wed Jan 23 16:25:28 GMT 2008

- Previous message: [Paleonet: 9th annual KAS Paleontology Symposium](#)
- Next message: [Paleonet: cyanide risk in the field](#)
- Messages sorted by: [\[date\]](#) [\[thread\]](#) [\[subject\]](#) [\[author\]](#)

The following story appeared in the Jan 18 edition of the Salt Lake Tribune. Sometimes older news stories become unavailable on-line, so I am posting a copy of the story within this email because of the hazard to those working in the field. A photo of the cyanide explosive is in the on-line version of the story. The incident occurred in the area near Dinosaur National Monument, but the devices are used across the western US.

Dan Chure

****EPA investigates Utahn's poisoning - 4 years after device shot cyanide in his face***

By Patty Henetz

The Salt Lake Tribune

<mailto:pahetz@sltrib.com?subject=Salt%20Lake%20Tribune%20EPA%20investigates%20Utahn%27s%20poisoning%20-%204%20years%20after%20device%20shot%20cyanid

Article Last Updated: 01/18/2008 06:23:26 AM MST

The U.S. Environmental Protection Agency has begun an investigation into the poisoning four years ago of a Vernal man who touched what he thought was a survey stake, only to get a blast of sodium cyanide to his face and chest.

The cyanide device, called an M-44, is used by the federal government to kill predators. The poisoning has left Dennis Slaugh with severe health problems, his wife, Dorothy Slaugh, said Thursday. And it has reignited a campaign to ban all predator poisoning on federal lands.

EPA investigator Michael Burgin visited the Slaugh home Monday for a two-hour meeting, which Slaugh said she taped with Burgin's knowledge. The special investigator was looking into why federal agencies did not follow up on the Slaughs' original reports, she said. Democratic Rep. Peter DeFazio of Oregon pushed for the investigation at the request of Predator Defense, a national wildlife advocacy group based in Eugene, Ore.

"He has been a really good ally trying to get these weapons banned permanently so no one will have to suffer the way my husband has suffered," Slaugh said of DeFazio.

Dennis Slaugh and his brother were riding all-terrain vehicles on U.S. Bureau of Land Management land in Cowboy Canyon near Bonanza in 2003 when Slaugh noticed what he thought was a survey stake. He reached to brush it off and it fell over. When he picked it up, it exploded, sending a cloud of granules into his nose, mouth and eyes. The M-44 device was spring-loaded to shoot poison into a predator's mouth. The U.S. Department of Agriculture's Wildlife Services Program is the only agency allowed to use the M-44 to poison coyotes and dogs to prevent livestock loss.

But when the Slaughs told the USDA and the BLM about their experience, the agencies denied responsibility and eventually informed them the statute of limitations on the family's claims had run out.

"We were just asking for compensation. We've got medical bills. They just flat denied everything," Dorothy Slaugh said.

On Monday, she said, Burgin told her that time on the claim would run out in May. Cyanide clings to iron in the blood system and slowly depletes the heart and other muscles of oxygen. Dennis Slaugh, 65, has extremely high blood pressure, difficulty breathing, vomits almost daily and can no longer work as a Caterpillar D8 driver for Uintah County because he is too weak to climb up into the machine's rungs.

The couple, avid ATV riders and campers, have owned Mountain High Power Sports in Vernal for 35 years. "We're fine, we're OK. It's just taken a lot out of him," Dorothy Slaugh said. Brooks Fahy, executive director of Predator Defense, said his organization started the push to ban all predator poisoning on federal lands in 1994, when a woman was poisoned while trying to resuscitate her dog after the animal bit an M-44 a USDA employee had set on her private property at the request of a tenant farmer. DeFazio has been an ally since then, Fahy said.

In late November, DeFazio prodded the EPA with a letter that Fahy said was "instrumental" in finally getting federal action on the Slaughs' claim. The congressman is sponsoring a bill in the House to ban all predator poisons.

part of IOZ1812
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- Previous message: [Paleonet: 9th annual KAS Paleontology Symposium](#)
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Bill to Ban Deadly Compound 1080 & M-44s Stalled



Brooks Fahy (l) & Dennis & Dorothy Slaugh (r) meet with Representative Peter DeFazio on Capital Hill in June 2008. Dennis is suffering severe, long-term health affects from M-44 poisoning. [About the bill](#)

Our legislation to protect humans and pets on both private and public lands receives no action in Congress, but may be reintroduced

April 2009 - Unfortunately, we failed in our 2008 campaign to completely ban the poison Compound 1080 and the federal government's use of M-44s on both private and public lands. Despite getting a healthy 35 co-sponsors for the bill—HR 4775, "The Compound 1080 & M-44 Elimination Act"—no major action was taken on it during the 110th Congress. It was assigned to the House Agriculture Committee, where we have few friends. [Learn why we need this legislation](#)

It is important for people to remember that this bill went far beyond the purview of the USDA's Wildlife Services. For two decades, Predator Defense has been working with activists in New Zealand, Australia, Tasmania, and in Africa and South America to bring about a worldwide ban on [Compound 1080](#).

In June 2008 our executive director, Brooks Fahy, traveled to Washington, D.C., to gain Congressional support for HR 4775. To provide a first-hand account of acute sodium cyanide poisoning by an M-44, Dennis and Dorothy Slaugh of Vernal, Utah accompanied me on the trip. Dennis was poisoned in 2004 when he pulled on an M-44 that he mistook for a survey marker. Dennis is still plagued by severe health problems stemming from the poisoning. His description of this experience brought more than one Congressional staff member to tears. Dennis' story was featured in the January 2008 issue of *Men's Journal*, [America's Secret War on Wildlife](#), and reported in newspapers across the country.

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Predator Defense covered all expenses for Dennis and Dorothy to travel Washington. Their presence put a human face on the danger posed by M-44s. Through this effort, and those of other groups and individuals, in the end, 35 Representatives co-sponsored the bill. While on Capitol Hill, we also met Representative Salazar, D-CO, who had urged all members of the House, via a Dear Colleague letter, not to support HR4775. After our meeting we were reassured that he would offer no additional opposition. We expect Representative DeFazio will introduce the new bill in the 111th Congress. We'll keep you posted.

Learn More About the Bill

We encourage you to learn more about the bill below, follow the links to a wealth of information on M-44 cyanide devices and Compound 1080 poison, and take action in every way you can.

- [Bill to Eliminate Compound 1080 & M-44s Introduced in House](#) - Dec. 18, 2007 press release
- [Why we need this bill](#) - "Two Killers That Need to Go"
- Read the bill, view cosponsors, and learn more on either the [Open Congress](#) or [Library of Congress](#) websites
- Learn more about [M-44s](#) and [Compound 1080](#)

Compound 1080 Suspected in Dog's Death



May 2008 - Brooke and Cliff Everest of Bozeman, MT, lost their beloved dog, an American Brittany named Bea, while on a rafting trip on the White River in Utah. Bea suffered the agonizing and classic symptoms of Compound 1080 poisoning after an encounter with a sheep carcass. Read [press release](#) and [letter from owners](#).

How You Can Help

With your help—writing letters, making phone calls, or making a donation—we can ban these deadly agents:

- [Urge your Representative](#) to cosponsor H.R. 4775 (NOTE: The bill will have a new number when introduced in the 111th Congress. Update pending.)
- Get involved. [Join Predator Defense today](#).

Resources

- [About M-44s](#)
- [About Compound 1080](#)

Progress To Date

- EPA to investigate human M-44 poisoning in Utah - Jan 2008
- Bill to ban M-44s and Compound 1080 introduced in Congress - Dec. 2007
- Predator Defense demands EPA investigate human poisoning by M-44 and immediate moratorium - Sept 2007

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**Nationwide Wildlife Deaths Caused by M-44s
Set by USDA, APHIS, Wildlife Services, 2003-2008**

	2003	2004	2005	2006	2007	2008	TOTAL
Badgers	4	3	0	0	0	0	7
Bald Eagle	1	0	1	0	0	0	2
Black Bears	1	0	4	2	1	1	9
Bobcats	1	5	15	1	3	0	25
Coyotes	13,275	10,630	11,569	12,564	12,871	11,233	72,142
Crows	0	0	4	0	2	1	7
Deer, Whitetail	0	0	0	0	0	1	1
Dogs	108	117	92	112	90	68	587
Foxes, Gray	527	277	301	450	610	626	2,791
Foxes, Kit	27	29	25	24	10	6	121
Foxes, Red	494	387	353	394	368	389	2,385
Foxes, Swift	16	19	8	24	27	27	121
Hogs, feral	7	4	7	9	10	11	48
Javelinas	2	0	2	0	0	0	4
Marmots	0	1	0	0	0	0	1
Opossums	83	96	64	113	54	69	479
Raccoons	331	291	218	198	189	276	1,503
Ravens	4	7	2	2	3	5	23
Ringtails	4	1	2	1	0	0	8
Skunks, Striped	167	113	59	76	34	49	498
Vulture, Turkey	0	0	0	0	0	1	1
Wolves, Gray	1	0	0	1	2	0	4
TOTAL	15,053	11,980	12,726	13,971	14,274	12,763	80,767

Source: Data compiled by Wendy Keefover-Ring, WildEarth Guardians from data published online by USDA, APHIS, Wildlife Services, 2009.

M-44 Cyanide Capsules
M-44 Use Restrictions
EPA Registration No. 56228-15
June 10, 1999

1. Use of the M-44 device shall conform to all applicable Federal, State, and local laws and regulations.
2. Applicators shall be subject to such other regulations and restrictions as may be prescribed from time-to-time by the U.S. Environmental Protection Agency (EPA).
3. Each applicator of the M-44 device shall be trained in: (1) safe handling of the capsules and device, (2) proper use of the antidote kit, (3) proper placement of the device, and (4) necessary record keeping.
4. M-44 devices and sodium cyanide capsules shall not be sold or transferred to, or entrusted to the care of any person not supervised or monitored, by the Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) or any agency not working under a WS cooperative agreement.
5. The M-44 device shall only be used to take wild canids: (1) suspected of preying on livestock or poultry; (2) suspected of preying on Federally designated threatened or endangered species, or; (3) that are vectors of a communicable disease.
6. The M-44 device shall not be used solely to take animals for the value of their fur.
7. The M-44 device shall only be used on or within 7 miles of a ranch unit or allotment where losses due to predation by wild canids are occurring or where losses can be reasonably expected to occur based upon recurrent prior experience of predation on the ranch unit or allotment. Full documentation of livestock depredation, including evidence that such losses were caused by wild canids, will be required before applications of the M-44 are undertaken. This use restriction is not applicable when wild canids are controlled to protect Federally designated threatened or endangered species or are vectors of a communicable disease.
8. The M-44 device shall not be used: (1) In areas within national forests or other Federal lands set aside for recreational use, (2) areas where exposure to the public and family and pets is probable, (3) in prairie dog towns, or, (4) except for the protection of federally designated threatened or endangered species, in National and State Parks; National or State Monuments; federally designated wilderness areas; and wildlife refuge areas.
9. The M-44 device shall not be used in areas where federally listed threatened or endangered animal species might be adversely affected. Each applicator shall be issued a map, prepared by or in consultation with the U.S. Fish and Wildlife Service, which clearly indicates such areas.
10. One person other than the individual applicator shall have knowledge of the exact placement location of all M-44 devices in the field.

M-44 Cyanide Capsules
M-44 Use Restrictions
EPA Registration No. 56228-15
June 10, 1999

11. In areas where more than one governmental agency is authorized to place M-44 devices, the agencies shall exchange placement information and other relevant facts to ensure that the maximum number of M-44's allowed is not exceeded.
12. The M-44 device shall not be placed within 200 feet of any lake, stream, or other body of water, provided that natural depression areas which catch and hold rainfall only for short periods of time shall not be considered "bodies of water" for purposes of this restriction.
13. The M-44 device shall not be placed in areas where food crops are planted.
14. The M-44 device shall be placed at least at a 50-foot distance or at such a greater distance from any public road or pathway as may be necessary to remove it from the sight of persons and domestic animals using any such public road or pathway.
15. The maximum density of M-44's placed in any 100 acre pasture land areas shall not exceed 10; and the density in any 1 square mile of open range shall not exceed 12.
16. No M-44 device shall be placed within 30 feet of a livestock carcass used as a draw station. No more than four M-44 devices shall be placed per draw station and no more than five draw stations shall be operated per square mile.
17. Supervisors of applicators shall check the records, warning signs, and M-44 devices of each applicator at least once a year to verify that all applicable laws, regulations, and restrictions are being strictly followed.
18. Each M-44 device shall be inspected at least once every week, weather permitting access, to check for interference or unusual conditions and shall be serviced as required.
19. Damaged or nonfunctional M-44 devices shall be removed from the field.
20. An M-44 device shall be removed from an area if, after 30 days, there is no sign that a target predator has visited the site.
21. All persons authorized to possess and use sodium cyanide capsules and M-44 devices shall store such capsules and devices under lock and key.
22. Used sodium cyanide capsules shall be disposed of by deep burial or at a proper landfill site. Incineration may be used instead of burial for disposal. Place the capsules in an incinerator or refuse hole and burn until the capsules are completely consumed. Capsules may be incinerated using either wood or diesel fuel.

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M-44 Cyanide Capsules
M-44 Use Restrictions
EPA Registration No. 56228-15
June 10, 1999

23. Bilingual warning signs in English and Spanish shall be used in all areas containing M-44 devices. All such signs shall be removed when M-44 devices are removed.
 - a. Main entrances or commonly used access points to areas in which M-44 devices are set shall be posted with warning signs to alert the public to the toxic nature of the cyanide and to the danger to pets. Signs shall be inspected weekly to ensure their continued presence and ensure that they are conspicuous and legible.
 - b. An elevated sign shall be placed within 25 feet of each individual M-44 device warning persons not to handle the device.
24. Each authorized or licensed applicator shall carry an antidote kit on his person when placing and/or inspecting M-44 devices. The kit shall contain at least six pearls of amyl nitrite and instructions on their use. Each authorized or licensed applicator shall also carry on his person instructions for obtaining medical assistance in the event of accidental exposure to sodium cyanide.
25. In all areas where the use of the M-44 device is anticipated, local medical people shall be notified of the intended use. This notification may be through a poison control center, local medical society, the Public Health Service, or directly to a doctor or hospital. They shall be advised of the antidotal and first-aid measures required for treatment of cyanide poisoning. It shall be the responsibility of the supervisor to perform this function.
26. Each authorized M-44 applicator shall keep records dealing with the placement of the device and the results of each placement. Such records shall include, but need not be limited to:
 - a. The number of devices placed.
 - b. The location of each device placed.
 - c. The date of each placement, as well as the date of each inspection.
 - d. The number and location of devices which have been discharged and the apparent reason for each discharge.
 - e. Species of animals taken.
 - f. All accidents or injuries to humans or domestic animals.

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Riverdale, MD 20737-1237
June 10, 1999

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**PRECAUTIONARY STATEMENTS
HAZARD TO HUMANS AND
DOMESTIC ANIMALS**

DANGER

Sodium cyanide may be fatal if swallowed or inhaled. Use only with adequate ventilation and do not breathe the gas or dust. When handling, setting out or checking M-44 cyanide capsules, always have at least six pearls of Amyl-Nitrite readily available in case sodium cyanide is swallowed or inhaled.

While handling sodium cyanide capsules, protect hands with gloves and shield eyes to prevent eye burns and skin irritation. Wash thoroughly before eating or smoking.

Do not use in areas frequented by humans or domestic dogs.

ENVIRONMENTAL HAZARDS

This pesticide is **TOXIC TO WILDLIFE**. Keep out of lakes, ponds or streams. Do not contaminate water by cleaning of equipment or disposing of wastes. The M-44 ejector device may not be used in areas inhabited by endangered canids and felids.

CHEMICAL HAZARDS

Contact with acid liberates poisonous and flammable hydrogen cyanide gas.

ENDANGERED SPECIES CONSIDERATIONS

Use of this product is prohibited in areas where such use might jeopardize the continued existence of endangered species. Contact the local office of the U.S. Fish and Wildlife Service to determine the locations of habitats occupied by any endangered species listed below which occur in or near the intended area of product use.

Florida Panther

Do not use this product within 20 miles of the boundary of any federal or state lands (e.g., National Wildlife Refuges, national Parks, National preserves, State Parks, State preserves, State Wildlife Management Areas, etc.) and Indian Reservations that provide suitable Florida panther habitat south of Charlotte, Glades, and Marlin Counties, Florida.

SEE REAR PANEL FOR ADDITIONAL ENDANGERED SPECIES CONSIDERATIONS

**RESTRICTED USE PESTICIDE
DUE TO INHALATION HAZARD TO HUMANS AND THE NEED
FOR HIGHLY SPECIALIZED APPLICATOR TRAINING**

For retail sale and distribution to and use only by Certified Applicators who have taken the required additional training to use M-44 Sodium Cyanide Capsules in M-44 ejector units, and for whom USDA-APHIS assumes a supervisory role with respect to the use of this product.

M-44 CYANIDE CAPSULES

For use in the M-44 ejector device to control coyotes (*Canis latrans*), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*) and wild dogs which are: (1) suspected of preying upon livestock and poultry; (2) suspected of preying upon Federally designated Threatened or Endangered species; or, (3) vectors of communicable disease.

ACTIVE INGREDIENT:

Sodium Cyanide. 91.06%

INERT INGREDIENTS: 8.94%

TOTAL: 100.00%

**KEEP OUT OF THE REACH OF CHILDREN
DANGER—POISON**



**STATEMENT OF PRACTICAL TREATMENT
IF SWALLOWED: CALL A PHYSICIAN OR POISON
CONTROL CENTER IMMEDIATELY!**

IF SWALLOWED OR INHALED - Prompt treatment is of the utmost importance. Carry patient to fresh air, have him lie down. Patient should breathe the contents of an Amyl Nitrite pearl 15-30 seconds each minute if necessary, until five pearls have been used. Use artificial respiration if breathing has stopped. Remove contaminated clothing, but keep patient warm.

CALL A PHYSICIAN IMMEDIATELY.

IF ON SKIN - Immediately flush with plenty of water.

IF IN EYES - Immediately flush with plenty of water, and call a physician.

SEE LEFT SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For use in specific situations to reduce canids (coyotes, red fox, gray fox and wild dogs) that depredate livestock and poultry or federally designated threatened or endangered species or are vectors of communicable disease. For use on pastures, range land and forest land only. Do not place in areas where food crops are planted.

IMPORTANT - Before handling or placing M-44 cyanide capsules or M-44 ejector devices, consult the Use Restriction Bulletin for specific use directions, additional precautions, information on endangered species, warning signs and antidotal measures.

WARNING SIGNS - Bilingual (Spanish/English) warning signs must be posted in the general area and at the application site.

STORAGE AND DISPOSAL

STORAGE: Store M-44 cyanide capsules under lock and key in a dry place away from food, domestic animals and acids. Do not contaminate feed or food stuffs.

DISPOSAL: Dispose of defective and used M-44 capsules by burial in a safe location in the field or at a proper landfill site.

Incineration may be used instead of burial for disposal of used capsules. Place capsules in an incinerator or refuse hole and attend the burn until the contaminated material is completely consumed. If burned, stay out of smoke.

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
Riverdale, MD 20737
EPA Est. No. 56228-ID-1
EPA Reg. No. 56228-15

50 Capsules - Net Weight 48.5 grams

6/99

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SECTION VI. HEALTH HAZARD INFORMATION

EXPOSURE LIMIT: Permissible Exposure Limit for CN is 5 mg/m³ in air or as CN on skin. Ceiling level of 4 mg/m³ for 10 minutes of CN and HCN. Cyanide is fast-acting and highly poisonous by ingestion (<250 mg, human lethal dose). It can enter the body through the skin (especially through open wounds) or by inhalation of dust, solution mist, or HCN. Cyanide prevents cells of the body from using oxygen.

EFFECTS OF OVEREXPOSURES: Overexposure causes headache, dizziness, weakness, profuse ineffective breathing, and nausea, which can be followed by weak and irregular heartbeat, unconsciousness, convulsions, coma and death. NaCN is alkaline and thus irritating and corrosive to body tissue it contacts. Repeated minor contact cause "cyanide rash."

FIRST AID: In all cases call a physician immediately. Get medical help promptly after administering first aid. Administer the antidote, AMYL NITRITE, per directions.

If inhaled, remove to fresh air. If not breathing, give artificial respiration. DO NOT GIVE MOUTH-TO-MOUTH RESUSCITATION. If breathing is difficult, give oxygen. Keep patient warm and at rest.

If swallowed, and if patient is conscious, give water to rinse mouth, then induce vomiting by tickling back of throat with the handle of a spoon or by giving a glass of warm soapy water. Repeat several times.

In case of contact, immediately flush skin or eyes with plenty of water for at least 15 minutes.

SECTION VII. SPILL, LEAK, AND DISPOSAL PROCEDURES

M-44 capsules are sealed during manufacture. Leaks are unlikely. Ventilate area and allow only qualified personnel to handle spill. Clean-up personnel may require protective clothing and respiratory protection from dust. Collect material and place in a closed container for recovery or disposal. Dispose of according to federal and state guidelines and as outlined in the EPA Use Restrictions.

SECTION VIII. SPECIAL PROTECTION INFORMATION

Use good housekeeping practices where M-44s are manufactured or stored. Wear gloves when setting or removing the M-44 device and use precautions discussed during training.

SECTION IX. SPECIAL PRECAUTIONS AND COMMENTS

Store in cool, dry, well-ventilated area away from acids and oxidizing agents. Protect M-44 capsules from physical damage. Use good personal hygiene practice and keep product away from food and beverages.

IO21812
-004

February 11, 2008

Dear Congressman DeFazio,

I recently learned about your efforts and those of Predator Defense to ban M-44s. I want to help in any way I can to eliminate these dangerous and cruel non-discriminating devices.

I equate these predator-killing devices to land mines designed to kill people. Any living animal or human happening upon one can get killed by it, even many years after it was set.

On January 19, 2008 I called Brooks Fahy at Predator Defense to tell him my story. That description follows.

My name is Bill Guerra Addington. I was born May 3, 1954 in Ft. Hancock, Texas in Hudspeth County. My family has farmed and ranched in Sierra Blanca, Texas for three generations. We also own a General Store. Our other business interests in Sierra Blanca have included rental homes and retail business space, a lumber company and a propane company.

My grandfather was a pioneer of Sierra Blanca, arriving from Merida, Yucatan, Mexico in 1915. He built all of our businesses from scratch with a lot of hard work and sacrifice, including our farm and ranch. Our ranch and farm is located between the Eagle Mountains and Rio Grande River. Presently we own a 2,000-acre farm and ranch, but until 1985 we also owned a 65,000-acre ranch in the same area, between the Eagle Mountain and Quitman Mountain Ranges.

In November of 1998, I was checking on some pregnant cows on our ranch. It was about 10 a.m. I had been cutting Yucca Dagger Blossom crowns with a machete for the cows that were about to

give birth, as the blossoms are very nutritious and help the calves and mother cows to have a healthy birth event.

I went to check a small metal cattle-watering tank that had been dry for several years. We were planning to fix the float and pipe on it so it could supply water. I noticed what appeared to be a rusted rod sticking out of the ground about 15 feet from the watering tank. It appeared to me that the "metal rod" had been there for a long time, many years.

I thought this "metal rod" needed to be removed, because it was sticking up out of the ground and could injure one of our cows. Standing up, I bent over to pull the rod out of the ground. After I grabbed the top and moved the "metal rod" back and forth to remove it from the ground, it exploded in my hand. A cloud of yellow dust blew away from the rod and me to the southeast. My cousin, who was nearby, yelled, "What's happening?" I didn't answer as I was shocked by the explosion and pain coming from my right hand. I looked at my hand and saw it was all cut up and burned, and there was yellow powder all over it. The yellow powder was even burnt into the burns and cuts on my hand. My hand was bleeding and was starting to swell from the explosion trauma. I called to my cousin for help. He was already on his way to me when I had called to him. I remembered hearing about the government putting "coyote getters" on some public lands that were leased for ranching. But our county and west Texas has no public land and I was puzzled why a "coyote getter" would be on our private land. After my cousin reached me we both agreed I had been injured by a "coyote getter". My cousin said I was lucky we had a fairly strong wind, or the cyanide would have gotten in my face, mouth and eyes.

I just wanted to wash my hand off, to get the yellow powder off of it. I wiped my hand with my bandanna. We rode our horses about a mile to where our water and supplies were, as we had left our canteens and water containers there with our other supplies and tools. I washed my hands with a lot of water for about five minutes. Some of the yellow cyanide dust on and inside of my cut and burned hand would not wash off. We drove to the ranch house and I used warm water and soap to try to wash out the yellow cyanide dust. I did not get any more off of my hand; it was burnt inside the burns and cuts.

The pain was really bad for about two hours. My hand healed slowly, but even on the healing cuts and burns I could see yellow. I had a yellow palm for five or six months.

A day after the injury I took apart the "coyote getter" and found how it worked. The firing of the 8-inch long device was triggered by a spring-loaded firing pin, which hit a .38 Special blank metal cartridge. I could see the empty chamber in the cylinder where the cyanide packet was. The top of the metal cylinder has a very old piece of gauze wrapped around it. My cousin said that was for the scent to attract the predator.

I am glad my dog had not come with us that day to look after the cattle as he usually did. I don't know if he would have hit the rod walking around the cattle-watering tank.

I still have the device that exploded in my hand.

If there is any way my experience with the "coyote getter" could help ban the M-44, please let me know.

Bill Guerra Addington
Guerra Farm & Ranch
Sierra Blanca, Texas

Dorothy Slaugh
Dennis Slaugh

Vernal, Utah 84078

December 6, 2006

part of
IOZ 1812 -001
(update)

Peter DeFazio
151 W. 7th, Suite 400
Eugene, Oregon 97401

Dear Congressman DeFazio:

On May 4, 2003, my husband Dennis Slaugh was shot with an M-44 sodium cyanide ejector at Cowboy Canyon, Bonanza Utah, in Uintah County. We had been RV-ing on a late Easter family camp out. The weather was good, so going off-road was a perfect option on this weekend. We are avid rock hounders, so at about 8:30 a.m. we were off rock hunting--looking for rocks, fossils, and old bricks from an old brick factory in the bottom of the canyon. We were about halfway to the bottom of the canyon when Dennis and his brother Deloy Slaugh decided to get off the ATVs and look around. They were looking and walking about when Dennis saw an object on the ground. To him it looked like a surveyor's marker and being that his brother was a surveyor, Dennis brushed across the top of it to see what township and range it was when he heard a loud pop. It exploded in his face hitting him on the right side of his chest then glancing off and hitting the right side of his face and getting into his eye. It was an orange or pink powder, his eyes were burning, lips tingling, and it felt like small rocks or gravel hitting his lips. He began wiping the powder stuff off. By then Deloy saw what had happened and came over to see what was going on. There were no signs or warning devices so he really didn't know what had hit him. Dennis was disoriented and Deloy kept asking him questions but he was out of it for a while. Then they realized that Dennis must have triggered some predator's bait.

After a while Dennis could start talking to Deloy telling him what had happened. He told him that he still had some of the powder on his face, so Deloy wiped the rest of it off. We went to see what had happened and we thought it was some sort of bait. We had heard of cyanide traps but we felt sure they had been banned years ago. M-44 cyanide traps set on public or private lands are triggered when pulled on by a curious rock hound or by a child or pet that could not read a warning sign even if one existed. A lethal dose of cyanide is fired forcefully at the unsuspecting victim. The poison is delivered instantly and you could die instantly, or, like my husband you can suffer for many years, and have your life cut short.

I heard of a similar accident that happened to a couple in Utah in which they lost a beloved pet German Shepard named "Max". They told me of an organization-- Predator Defense--with Brooks Fahy, executive director. Mr. Fahy is actively seeking a ban of M-44 cyanide traps. I would like to express my support of this organization's efforts to have these devices banned. I can personally attest to the horrific results produced by M-44s.

We sought legal advice from an attorney, but to no avail, because they did not know where to lay blame. But, I do because I have in my possession the actual M-44 weapon that is clearly marked property of the U.S. Government. I would like to see a ban on the M-44's and to have all the M-44's cleaned up across the country.

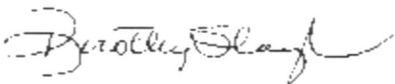
We had no warning of the presence of cyanide traps on the public lands in this area where we go camping and have fun riding ATVs. Before my husband was shot with the M-44 I had never heard of the USDA APHIS Wildlife Services program that uses poison to control coyote populations. I have learned the hard way watching my husband suffer every day of his life. It is now getting hard for him to breath and he has many other medical problems--he is in and out of the hospital. He says he would have been better off if the cyanide had killed him because he would not have to endure so much suffering.

I don't want anyone to ever succumb to the same inhumane death or near deaths that have been endured. I don't want another wife, mother, child, husband, father, grandparent, or pet owner to suffer the same type of loss. Falling victim to the effects of cyanide released from an M-44 device causes much pain and suffering.

I am asking that you please take a few minutes to hear my plea and help Brooks Fahy and Predator Defense ban the M-44. I believe that you will find my husband's story portrays actual, devastating results of M-44 use on our public and private lands across this country. His story fortifies the battle waged by Predator Defense against these devices. My hopes are that you will support this battle and submit a bill to Congress to ban all M-44 devices.

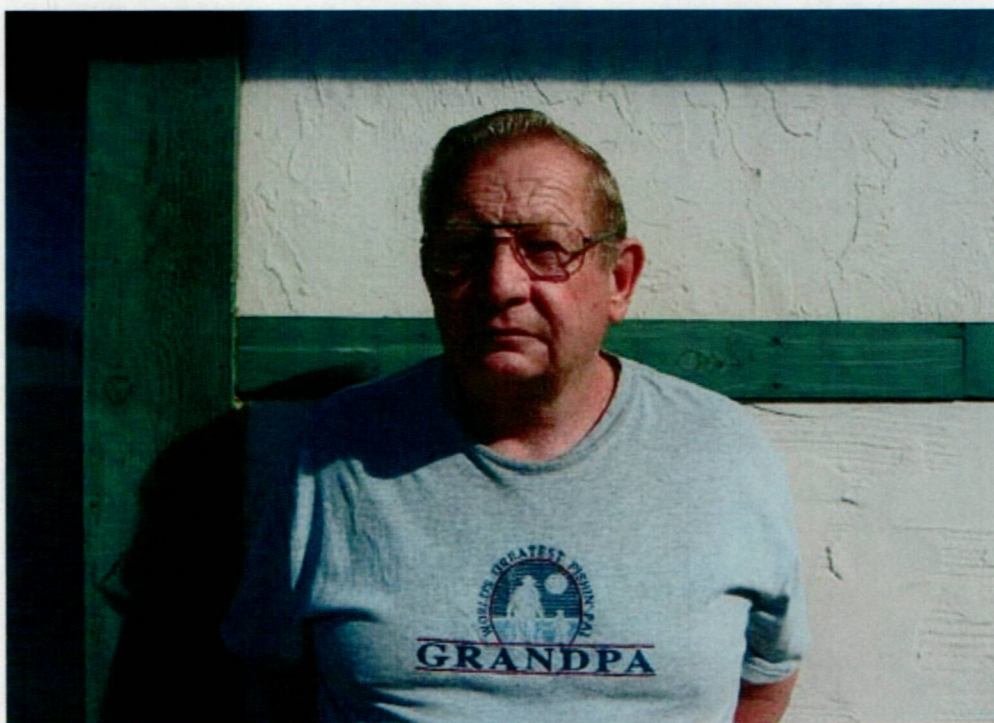
I thank you for your time. And I give great thanks for your past and present efforts to prevent the use of M-44s and other poisons on our lands. Please continue your efforts and work to ban the M-44 and other poisons.

Respectively,



DOROTHY SLAUGH

cc: Brooks Fahy, Predator Defense





update
see
IO 19441-008
IO 20372-011

IO 21812-005

THE SAGA OF MAX'S DEATH

I was at the Bureau of Land Management community pit quarry in the Lawson Cove area, Millard County, Utah on April 1, 2006 and April 2, 2006 with my German Shepherd companion, Max. It was 4:00 p.m. on April 2, 2006 when Max and I walked back to my pickup which was parked parallel to the dirt road at the entrance to the pit. We both went to the truck for a drink of water and a brief rest.

I went back into the pit at about 4:10 p.m. and Max lingered on the road, looking south of the pit into the wind that had just started blowing briskly. At 4:20 p.m., I noticed he wasn't back with me in the pit. It was unusual for him to be away from me for any length of time, so I started calling him. The wind was blowing hard now, so I thought maybe he was having trouble hearing me since I was down wind of where I last saw him. I continued yelling loudly for Max until 4:25 p.m. I became very concerned at this time, so I went to look for him. I scanned the horizon in all directions and could see or hear nothing. I started to walk south to look for him since that was the last direction he was looking in when I last saw him. I went about 150 feet down the road from the pit when I saw what I believed to be him lying on his side, very still, in the tall grasses. I ran about another 50 feet to where he was, when, to my horror, I realized he was dead. His lifeless body was only about 200 feet from the community pit and fifteen feet from the road.

I kneeled at the top of his head, bending over him, crying and trying to figure out what happened to him. I remember crying out "I don't understand, I don't understand" as I looked at his mouth. His mouth had a pinkish/salmonish colored foam coming from it. I was having a hard time with my eyes, I couldn't focus clearly on his mouth and the foam. At the time, I thought it was because I was crying so much, but I now believe the M-44 cyanide trap Max had found and pulled added to my vision difficulties. I was still having trouble focusing my vision, but I didn't find any other marks on his body as I cried and searched his body for clues as to what had just happened.

I was at the community pit alone, so I decided to leave Max there until the next day so I would have some help getting his body. I covered Max with his rug so scavengers wouldn't pick at his body. I always took his rug with us so when we had rest breaks at the truck, he could lay on it instead of the hard ground.

At approximately 5:30 p.m., I reached my husband by cell phone. I told him Max was dead and I didn't know what happened to him. The only thing I could find was a pinkish tinged foam coming from his mouth. I said I wasn't sure what the foam was, or if there was any blood in the foam, because I was having trouble seeing clearly.

The next day, April 3, 2006, my husband and I returned to the site to retrieve Max's body for burial. My husband couldn't find any blood or other marks on his body. We still had no idea what happened to him.

On April 4, 2006, my husband, my son, and I returned to the same BLM community pit to finish our work at this quarry site.

After speaking to several different people over the next couple days, we realized Max had been a victim of an M-44 cyanide trap. On April 10, 2006, my son and I returned once more to the site of Max's death to video tape the area, documenting that there were no visible warning signs anywhere in the area - just as there were no visible warnings posted on April 1, April 2 - the day of Max's death, April 3, or April 4, 2006. I also photographed a small white wrapper with red writing I found in a wash, under a sage brush, about 100 feet from the site of Max's death and about 4 feet from the dirt road. It was imprinted with the words "do not touch", "contains cyanide", and "United States Department of Agriculture - APHIS". I video taped us placing a rock on the wrapper so it would not blow away. I was afraid to touch it, so we left the wrapper there. Also photographed was a dead coyote, lying about 100 feet south of where Max died.

After searching the Internet, we found the proper department to contact in regards to Max's death. On April 11, my husband called the USDA Wildlife Services, Salt Lake City, UT office and informed them of the situation, the video, the photos, the wrapper, the lack of warning signs, and the proximity of Max's place of death to the road and a BLM community pit.

I waited a month and a half for the results of the Wildlife Services investigation into Max's death, and no results came. I felt as though Max's death was not being taken very seriously and I worried about the fate of other dogs due to inadequate warnings and the placement of M-44s so close to public use areas, such as the community pit, and roads. On May 22, 2006, I found Predator Defense, an organization dedicated to helping families whose pets have fallen victim to M-44 cyanide traps, on the Internet. My husband called Brooks Fahy, executive director, and related the story of Max's death. Mr. Fahy encouraged us to file a tort claim so Max's death would not be ignored.

On May 24, 2006, I filed a tort claim in the amount of \$1,500.00 to force an investigation into the lack of warning signs and the placement of the M-44 cyanide traps in such close proximity to a community area and a public road.

I received a letter from the USDA APHIS Minneapolis Financial Services Branch Claims Team on June 29, 2006 requesting that I prove Max was a purebred German shepherd and explain how he was my work partner. I responded to their request immediately. On July 21, 2006 I was informed that my claim was adjudicated and denied by one individual on the claims team. I was informed that I had six months to appeal the decision of this one individual in an appropriate United States District Court.

On July 21, 2006 my husband called the USDA Wildlife Services Salt Lake City, UT office to request the results of their investigation into Max's death. He was told we could not have any information unless we filed for it under the Freedom of Information Act. I have sent three certified letters petitioning USDA Wildlife Services, under the Freedom of Information Act, for copies of the documents submitted by Wildlife Services concerning my claim. I also asked if an EPA investigation had been conducted. To

date, I have not received any responses to my information requests. I am still waiting for the documents and the results of their investigation. I will not be able to appeal the decision if I do not receive the documents and reports used in my case before the six month appeal deadline. Since I cannot afford an attorney, and it doesn't appear that my information request will be honored in time, the USDA Wildlife Services will win by default. They will win and Max's death will not be counted as an M-44 death on any government records.

But, thanks to Brooks Fahy, Max's death is not being publicly ignored. He arranged a meeting for me with Joe Baird of *The Salt Lake Tribune*. That meeting resulted in an article about Max's death. The article, titled "Traps kills pet; owner seeks ban" appeared on the front page of the Utah section on Sunday, August 20, 2006. After the article ran, other victims of M-44s have been discovered and letters to the editor in support of banning the traps have appeared in print and on the Internet.

Predator Defense continues to be supportive in my quest to warn other pet owners about the presence of M-44 cyanide traps on our public lands. Without the help of Brooks Fahy, Max's story would have never been made public. No one would have ever heard how an ineffective, indiscriminate death trap program administered by the USDA APHIS Wildlife Services caused the cruel death of my best friend, Max. No one would have been alerted to the presence of M-44 cyanide traps on our public lands and the hazards they pose.



Sharyn D. Aguiar

November 8, 2006



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Article Last Updated: 8/20/2006 01:04 AM

TRAP KILLS PET OWNER SEEKS BAN

At a rancher's request, USDA says it set cyanide bomb in west desert

By Joe Baird
The Salt Lake Tribune

FILLMORE - Sharyn Aguiar thought Max was right behind her when she hopped out of her pickup truck last April and strode toward the entrance of the Millard County rock quarry that sits about 90 miles west of here.

Updated
IO 20372
-011
Utah IO 19441
-008

Max, a 2-year-old German shepherd, had become a regular companion on these west desert excavating trips. Aguiar often worked alone, and having the big, intimidating canine alongside made her feel more secure.

But this time Max wasn't there. And Aguiar quickly grew anxious, because, she says, "he never leaves my side out there."

Unease soon gave way to panic. Aguiar spent the next 15 minutes frantically screaming for Max and racing around the area. After 15 agonizing minutes, she finally found her dog, lying about 100 feet from the quarry and 15 feet from the road.

Max was dead. And a pink, foamy substance was emanating from his mouth and nostrils.

Aguiar didn't know it at the time, but her dog had been killed in a matter of seconds after yanking at, then setting off a meat-scented cyanide bomb, known as an M-44. Laid by the U.S. Department of Agriculture as part of its predator control program throughout the West, the trap's intended target was coyotes, which had been killing and harassing sheep grazing public lands in the area.

It is not the first time a family pet has instead been victimized by the device. While not an epidemic, enough dogs have been killed by M-44s in recent years to spark a backlash among environmentalists and dog owners, who call the devices indiscriminate and dangerous - not only to pets, but small children.

"They're like land mines waiting to go off," says Brooks Fahy,

executive director of the Oregon-based environmental group Predator Defense. "And this isn't just happening in Oregon and Utah. It's happening all over the place. And every time, I hear the same thing. The owners have never heard of these devices. I believe hundreds, if not thousands of dogs have been and continue to be killed by these things."

Federal Agriculture Department officials acknowledge that the trap which killed Max was likely theirs, set some weeks earlier at the request of a rancher. They call it an "unfortunate," but "rare" event.

"I'm genuinely sorry this happened. I really am. This is the thing we work very hard to avoid," says Michael Bodenchuk, the department's wildlife services director for Utah.

But Aguiar and her husband Tony, who own a rock wholesale business in Fillmore, have been less than satisfied with USDA's response. They want to know why no cyanide warning signs were posted, as required by federal law, both at road intersections near the area where the traps had been set and within 25 feet of the actual traps themselves.

"I've been going out there for over 20 years," Tony Aguiar says. "I've never seen any kind of sign out there."

To Fahy, the Aguiars' story is familiar. Just a month before Max's death, he says, another Utahn watched his Labrador retriever die at the hands of an M-44 while hunting rabbits on public lands. Samuel Pollock told KUTV he did see a USDA warning sign posted on an entry road, but insists there was no warning sign near the trap itself.

Fahy also believes that what he calls a series of poisoning incidents is more than a coincidence.

The controversy and unpopularity of M-44s outside the ranching community has led the agency, he says, to soft-pedal their presence. Again and again, Fahy says he has encountered either no warning signs or signs posted in inconspicuous places when investigating a cyanide-related pet death.

"When they post the signs, they know people will be concerned, and in a lot of cases pissed off," he says. "So why raise the ire of the public if you can get away with it?"

see
IO 20372-010
IO 20392-002

Bodenchuk, the USDA wildlife services director, calls such assertions absurd.

"We try real hard not to let these things happen," he says. "We don't set them anywhere near where exposure to kids or pets are likely. And we review it constantly. There are places where we've had M-44s for years, where we don't anymore. Places like the Uinta Basin, which used to be a safe place but is now changing with new oil wells and roads. We may now also have to consider exposure around the [Millard County] quarry as likely, after this. We may not be able to use the device there in the future."

Bodenchuk and his higher-ups at the USDA also are adamant about another thing: Warning signs were properly posted and procedures were followed in the west desert in April.

"We put up the signs," he says. "We can't make people read them."

But Aguiar and her husband say that if signs had been in place, their dog likely would still be alive and they wouldn't be making a stink about it.

"I didn't see signs the day it happened, or the day before or the day after," Sharyn Aguiar says. "I guess I'm blind or stupid."

The couple and their son went back out to the quarry nine days after Max's death to videotape and photograph the scene. That day, they found a small piece of red paper, sporting cyanide warnings, pinned under some sagebrush. Nearby was a dead coyote.

Bodenchuk says it was a warning sign, which was probably left behind after traps and other signs were pulled shortly after Max was killed - but before the Aguiars discovered it was an M-44 that killed him and USDA was informed of the incident.

The Aguiars, who wound up filing a tort claim with USDA for \$1,500 in damages, remain unconvinced.

Nobody, Sharyn Aguiar says, challenged their version of events until weeks later, when she received letters from the agency's Minneapolis office seeking proof of Max's breed, and insisting USDA procedures has been followed at the quarry.

"Typical government stuff - brush it under the rug," says Tony Aguiar. "Their problem now is, this woman is going to keep at this. But she's not after the money. She just wants to know its going to be safe the next time she goes out to the quarry with a dog."

Actually, for Sharyn Aguiar, it now goes beyond that.

"At first I just wanted to go out and post a sign that says 'Watch your dog on public land,' " she says. "Now, I want more than a sign. I want this stuff banned."

Memo

part of
IO21812-005

To: Ms. Barbara Knotz
From: Michael J. Bodenchuk, State Director *MB*
CC: Jeff Green, WS RD
Date: June 21, 2006
Re: Tort Claim

Enclosed is a SF 95 which was sent directly to my office by Ms Sharyn Aguiar of Fillmore, UT for the death of her dog. I have also enclosed copies of statements from Darren Roach, the Specialist who works in the area and from Kevin Dustin, the District Supervisor who had conducted a trapline inspection with Darren before we were informed of the incident. A map of the area is also enclosed.

Allegations in the narrative are not all correct. WS did have signs in the area (the "wrapper" she refers to is actually the device sign). The "road" she refers to is a two-track, non-maintained trail. I was personally contacted by her husband one week following the alleged incident and he specifically stated that they were not seeking compensation. Ms. Aguiar received the form from the Bureau of Land Management (BLM), not from WS. It is also important to note that WS did not see the dog or have evidence to show a dog had pulled an M-44, rather we found a device which had been pulled and no coyote for our effort. While it is possible we killed the dog inadvertently, I cannot confirm that.

The area in question is BLM administered land. The BLM policy is that they do not allow nor disallow the use of toxicants on their land. The BLM does have a National level Memorandum of Understanding with WS over activities on BLM land and a work plan with the Fillmore Field Office is executed annually. This specific area has not been identified as a recreation area under that work plan. Accordingly, the use of the M-44 device in this area is left up to the judgment of the WS Specialist.

After investigation use of the M-44 device in this case followed all applicable laws, regulations and policies and no negligence occurred on our part. It is unfortunate that a dog was killed in this area. I have concerns about the government settling cases with dog owners because it is all too easy for someone to intentionally take a dog into an area posted with signs with the intention of getting the dog killed. I recommend against settling this claim.

Please feel free to contact me directly if you have additional questions and please keep me posted on your deliberations on this matter.

part of IO21812-002

Amanda Kingsley

Port Townsend, WA. 98368

updates

IO20372-003

updates IO19181-002
Harrisburg, OR

January 9th 2007

Congressman Peter DeFazio
151 W. 7th, Suite 400
Eugene, OR. 97401

Dear Congressman DeFazio:

This is a hard letter for me to write as it drags out memories of an event from which I am still trying to recover. But for those very reasons, drag I will -- in hopes that you will work in Congress for a ban on the M-44 poison traps used by the USDA APHIS Wildlife Services Program (WS). I hope if we can get M-44s and other irresponsibly used poisons out of the hands of WS it may save other people from suffering similar or worse nightmares.

In the fall of 1994 my fiancé and I were living on a farm north of Eugene that has been passed down to me through four generations of my family. We moved down to begin restoration on the property's 125 year-old farmhouse. We had many wonderful experiences while living in the Willamette Valley but it's hard to not let it all be overshadowed by one event. While walking our dog across the middle of my property she came upon an M-44 coyote trap set in the grass by Federal agents. She died horribly of cyanide poisoning with us kneeling beside her in the mud. In the process of trying to help her I was also exposed to cyanide and according to poison specialists am lucky to be alive.

When we moved down from Seattle we were trying hard not to be dumb city people and were grateful for advice from our Oregon friends and relatives about the dos and don'ts of life in the Valley. Everyone warned us that loose-running dogs would likely be shot by livestock farmers so the first thing we did upon arriving was to fence the yard for our two dogs, Jake and Ruby. Even on our own property we were always with the dogs and usually had them on leashes. The one thing no one thought to mention was the poison traps set out by Wildlife Services.

October 28th the rain gave way to a beautiful fall afternoon so we leashed the dogs and took them on a long walk across the property to play in Pierce Creek. Coming home we crossed the creek that runs across the middle of my land, less than 1/4 mile from the house. I stopped to pick wild mint and Michael started on across the last field towards the house. The dogs were wandering in the ditch near me; when I saw Ruby rolling on her back in the grass I laughed thinking she was playing. She got up then and started following Michael but suddenly dropped over on her side and was kicking at the mud. My heart went to my throat; I knew something was extremely wrong.

I threw down everything I was carrying and screamed for Michael. We both ran to Ruby. Her

eyes were rolled back; she was in violent convulsions and was having trouble breathing. There was a strong, chemical smell -- sharp and metallic. We immediately suspected poison and I bent near her mouth and inhaled deeply to try and identify the smell or to be able to describe it to a vet or medic. It didn't occur to me right then that it might be poison gas and that I shouldn't breath it. Ruby was gasping and crying with her head arched back, eyes wild, fighting for air. Her strong legs thrashed and with every choking breath she let out a screaming moan. Ruby, who had always seemed impervious to any kind of pain, was suffering terribly. She was foaming at the mouth and her tongue was hanging limp in the dirt. I reached in her mouth to make sure her windpipe was clear and she bit my hand hard in her panic and convulsions. Michael began to run the 1/4 mile back to the house to get the van and call a vet. I knelt in the mud shaking and trying to get our big girl to keep breathing. More than anything I felt devastatingly helpless. As minutes ticked by she struggled less and less and breathed less and less, but when I would call her name sharply she would always gasp in one more breath. Just as Michael got back with the van -- it must have been fifteen minutes -- Ruby stopped breathing. We briefly tried to do CPR on her (through a plastic tube pushed down her throat) but it was clearly over.

According to Wildlife Services, death by M-44 cyanide is supposed to take about 45 seconds. It took ten or fifteen agonizing minutes for our dog.

We sat there in the mud sobbing, in absolute disbelief; it was hard to reconcile that such a sweet landscape could be hiding something so terrible, something that could strike down our mighty friend so quickly. Michael searched the grass where she had first rolled over and found the detonated trap as well as the tiny sign warning that it was sodium cyanide. Both sign and trap were completely buried in tall grass. We then washed our hands in the creek and that's when Michael saw that I had been bitten. Fresh blood was running from a puncture wound on my right hand. With all my attention on Ruby, I hadn't even thought about it. It suddenly occurred to both of us that we didn't know how cyanide worked and that I probably had it in my system by then. We ran to the van and raced for the farmhouse to call 911.

During the seemingly endless ride across the field my heart began to race and I started to feel light headed and nauseous. I was getting tunnel vision and was struggling not to pass out. I usually do all right in a crisis but at that point panic set in. Here we were, 25 miles from a hospital, having just watched a very tough animal that weighed the same as I do die horribly and fast. For the first time in my life I thought I was going to die.

The 911 Operator told Michael that basically if I was still alive at that point then I'd probably be all right. They said to clean the wound and stay close to a phone. At that point I assumed that my reaction, which was beginning to subside, must have just been panic.

First thing Monday morning I tried to reach the Linn County Wildlife Services trapper. He called me back later in the day to say that he was very sorry and that he had removed all poison from my property early that morning after getting the call from our farmer. He told me of several other incidents that year where similar "accidents" had killed other dogs in the area. That did not make me feel better. He also said not to worry, that the traps "are never harmful to people".

In the months following Ruby's death I had various symptoms that were worse in the first few weeks and slowly improved. I had an unusual metallic taste in my mouth and my heart never seemed to beat at a normal rate. I had never had insomnia until then, but my heart was pounding so hard at night I couldn't get to sleep. For the first few nights I was afraid that if I did fall asleep I'd have a heart attack. My arms started tingling and going numb, which I don't remember ever happening before. They'd fall asleep from the shoulders down any time I sat still for more than a few minutes. Months later when I finally called the Washington State Poison Center hotline I was told: "what you're describing are the classic symptoms of low-level cyanide exposure." They said the numb arms were an example of the temporary neuralgic problems that cyanide can bring on. They also said they were surprised that I was alive to talk about it.

When I asked Wildlife Services how the traps could be on my land without my permission they said that they had the consent of the Farmer that leases part of my farmland and that it should have been his responsibility to notify me. They explained that for them to try to obtain the consent of property owners would be "too difficult". (The "difficulty," I was told, was that many owners live out of the area and it would be too much hassle to track them down). It blew my mind that could poison my land without even *notifying* me. At the very least one would think that with a residence so near the trap site it would be mandatory to notify the homeowner so that whoever was living there would be warned of the danger to their pets and families. It's preposterous to claim that M-44s pose no danger to children. I was a kid who liked the salt licks my grandparents put out for their cows and I would certainly have closely investigated any mysterious post poking out of the grass.

In my dealings with Wildlife Services following our loss I was stunned at their lack of accountability. If this sort of "accident" happens once or many times one would think there would be some sort of review process to help prevent it from happening again -- especially in cases like ours where the traps were in violation of several Wildlife Services regulations. (They installed the trap beside a stream, there were no warning signs at the nearest property entrance, no effort made to notify the family living in the house nearby, and the warning signs on the trap were completely obscured by thick brush and grass.) It took many months and a lot of noise on my part before I ever received a letter of regret about the incident from Wildlife Services (although no admission of any error on their part). In spite of the fact that we were walking our dog, the only record WS made of the event was that a "loose running dog" was poisoned. In sheep country, *loose running dogs* are considered predators so I'm sure that categorization is one more way for WS to make her death seem justifiable for their year-end tally.

Within a week or two of Ruby's death I located Brooks Fahy and Predator Defense in Eugene. I don't know what I would have done without them as a source of support and straight information as I have struggled over the years to make *something* good come out of this terrible business.

During that first year I mounted the best protest I could, writing to Wildlife Services and every politician I could think of. Thanks (no thanks) to the incredible lobbying power of WS and the ranching industry my letters and protests fell on deaf ears. It was extremely disillusioning. My dealings with WS proved them to be an arrogant and extremely short-sighted agency experimenting with dangerous chemicals at the risk of many. For decades WS has operated with almost complete impunity, which means they don't have to be smart or careful in what

they do, and they aren't. In response to complaints the WS simply denied each and every violation and it came down to my word against theirs.

I continue to feel bitter about a Federal government that would support such an agency and sad that Oregon, my ancestral homeland, may never again feel like the haven it always was for me growing up. I don't have a good solution for the centuries old coyote/sheep issue, but neither does Wildlife Services. From everything I've read, their efforts don't significantly reduce wildlife predation and I fail to see the sense in perpetuating a program that not only doesn't solve the problem but creates a whole set of new ones by littering an otherwise peaceful environment with land mines that wait indiscriminately for whoever happens along.

Sloppy *and* lethal: a losing combination.

I'm not contesting a farmer's right to protect his or her own livelihood, but why should the government and taxpayers be doing it for them, and with such a broad-sweeping, unaccountable and clearly dangerous approach? The Wildlife Services program is reminiscent of the bad old days of wild animal genocide in the 19th century American west -- with bounties on wolves and shooting buffalo from trains; it's just astounding to me to realize that this is still going on, and in my own back yard.

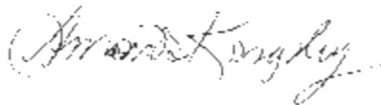
I like to think I'm pretty tough and resilient, so it's hard for me to admit this sort of thing, but the whole event left me dealing with many months of anxiety attacks and what turned out to be Post Traumatic Stress Disorder. I've been troubled by bouts of depression ever since, and it's been 12 years.

Predator Defense has my undying gratitude for all the support they have given me when there was none other to be found. They seem to be the only group in the region that's watch-dogging Wildlife Services or insisting on accountability for their continuing "accidents" and violations. I continue to be impressed by the guts and tenacity of Predator Defense in taking on a nasty Goliath of an agency.

From my own experience I know what a battle it will be to get these poisons out of the grip of Wildlife Services. I greatly hope you will support the efforts of Predator Defense and introduce the legislation to ban any further use of M-44s on public and private lands.

I appreciate your record in fighting the use of other poisons in the past and I thank you ever so much for your consideration of this issue.

Sincerely,



Amanda Wood Kingsley

cc: Brooks Fahy, Predator Defense



part of IO 21812
-003

Wildlife Services kills another dog and endangers children

Buddy, George and Dixie Tippet's German shepherd family pet, didn't come home Thursday, Jan. 5th, 2000. While looking for him, Mr. Tippet heard there might be poison on an adjacent property. On Friday the Tippet's found Buddy dead with bloody foam coming from his nose and mouth, 100 yards from their back door. Mr. Tippet discovered curious pink cones amongst candy wrappers and cigarette butts on and around the pathway and entrance to the area where Buddy's body lay. The pink devices are M-44s—devices that shoot extremely dangerous poison containing sodium cyanide capsules. Six M-44s were found along the path and entrance to the area. Five were still set; one was discharged and found near Buddy's body. No warning signs were evident at the entrance to the well-worn path through the tree farm in residential Estacada, Oregon, where neighborhood kids play and people walk their dogs. The U.S. Department of Agriculture's Wildlife Services' own directives state that M-44s cannot be used in "areas where exposure to the public and family and pets is probable." In addition, the agency's directives state that "main entrances or commonly used access points to areas in which M-44 devices are set shall be posted with warning signs to alert the public to the toxic nature of the cyanide and the danger to pets."

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IO 10353-
-003

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Mr. Tippet's veterinarian did not want to accept Buddy's body for fear of contamination. He, like most other veterinarians, was not familiar with sodium cyanide poison. The poison center was called, and personnel there could not help since they too were not familiar with the devices. Finally, the Oregon University veterinary diagnostic laboratory was contacted and was able to provide information about how to safely handle Buddy's body. A necropsy was performed and the results were positive for cyanide poisoning.

Predator Defense spent days documenting these and other violations of M-44 directives on videotape and photographs before the traps were pulled. Coverage of the incident aired on several local television channels and *The Oregonian* newspaper. As a result of the media coverage, the Oregon Department of Agriculture (ODA) and the Environmental Protection Agency (EPA) initiated an investigation.

Although this incident was reported and complaints were filed no action was taken to reprimand or fine the USDA Wildlife Services for violating their own guidelines and endangering the safety of Oregon residents, their pets, and wildlife.

A few weeks later, Predator Defense set up a meeting with staff from Congressman Peter Defazio's office and the ODA's pesticide division's assistant administrator. The ODA pesticide inspectors never spoke to any of the witnesses

referred to them by Predator Defense some of whom were children and teenagers who played near the M-44 traps. The ODA instead spoke to the Tippetts and the owner of the Christmas tree farm where the traps were located. Predator Defense was not able to locate any type of livestock within miles of this area. This case is a classic example of a federal agency running amuck and how state agricultural agencies like ODA cover up EPA violations to protect USDA Wildlife Services. Dixie and George Tippetts were so intimidated by the behavior of the State pesticide inspectors that they never filed a tort claim for the loss of their dog for fear of retribution.

Weeks later Predator Defense was contacted by an investigator with the USDA Office of Inspector General regarding our involvement in this case. Predator Defense agreed to meet with the investigator under the conditions that the meeting would be tape-recorded and that a representative be present from Congressman DeFazio's office. The investigator agreed but hours later reversed that decision and we've not heard from them since.



44

IO21812
- 006

Mar 14, 2006 7:06 pm US/Mountain

Dog Dies After Tripping Device To Kill Predators

same case as IO20392-002
IO20372-010

SALT LAKE CITY The state is investigating the death of a pet dog killed by a device meant for livestock predators. Samuel Pollock was hunting rabbits on federal land last month when he heard his dog Jenna, a Labrador-retriever-hound mix, gagging and retching. When he turned around, he spotted an M-44 – a device that shoots a pellet of sodium cyanide when an animal bites or otherwise disturbs it – sticking out of the ground. Jenna died about 90 seconds later, and there was nothing he could do but hold her, Pollock said.

Pollock said he saw on an entry road a sign warning of the deadly devices but contends there was no warning sign within 25 feet of the M-44 and it was within 50 feet of a pathway. Federal regulations require such warning signs within 25 feet and limit the placement of such devices to more than 50 feet from a public road or path. Pollock reported the incident to the state. An initial investigation by the Utah Department of Agriculture and Food's wildlife service division found there was a sign within 8 feet of the device, said Mike Bodenchuk, the director of the APHIS program for the division. "We take that very seriously obviously we didn't set out to do anything like that," Bodenchuk said. Investigators did not see the dog, and it wasn't immediately known if a necropsy – an animal autopsy – was conducted.

Bodenchuk said the device was near a path made up of two tire tracks, but that the division didn't consider that the "public road or pathway" outlined in the Federal Insecticide, Fungicide and Rodenticide Act. The device was on land managed by the federal Bureau of Land Management near Bruff Reservoir, which is about 15 miles to the southwest of Vernal. Dogs are allowed off leash on most BLM land, unless otherwise noted, said BLM spokeswoman Lola Bird. The area is popular for many forms of recreation, Pollock said. He said the path he was near is used by vehicles and should be considered a road. "It's just a shame. It's not that I mind sharing the land with the cattle at all. They have as much of a right to be out there as me," Pollock said. "I just don't think that they should be allowed to put this stuff on public land at all." M-44s are heavily regulated and mostly used in winter and spring months when cattle are susceptible to attack or cows are calving, Bodenchuk said. The devices are sprayed with a scent that attracts coyotes and other predators. The small metal tubes stick out of the ground, about a thumb's length. He said it is uncommon for dogs to be killed by the devices, and the only other dog death that has occurred in Utah this year happened on private land where the dog and owner were trespassing. The Environmental Protection Agency will be doing its own investigation. The EPA has already contacted a pesticide investigator for the state Department of Agriculture and Food, asking him to determine if the M-44 was used

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according to regulations, said Larry Lewis, UDAF spokesman. Pollock said Jenna was about 2 years old. She was buried in his yard with her favorite football.

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